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N.J. BOARD OF DENTISTRY  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION OR :  
REVOCATION OF THE LICENSE OF :

CHIU LUN LUI, D.D.S.  
License No. 22DI1285800

Administrative Action

TO PRACTICE DENTISTRY  
IN THE STATE OF NEW JERSEY

FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Dentistry upon receipt of information that Chiu Lun Lui, D.D.S. ("respondent"), whose license to practice expired on October 31, 1993 and whose license is, therefore, suspended by operation of law, had been convicted in Federal court in 2003 in the State of Maryland for making false statements relating to health matters and that the states of Maryland, Virginia, and New York had taken action against his license based on the conviction. On those facts, the Board issued a Provisional Order of Discipline on January 117, 2008, in which it made provisional findings of fact and conclusions of law. That order advised respondent that he had an opportunity to contest the provisional findings through submission of documentation within thirty business days of the entry of the Provisional Order.

The Provisional Order was sent to respondent's address of record by certified and regular mail. Both were returned to the Board with the notation "Return to Sender Attempted Not Known." Board regulations provide that service to a last known address shall be adequate notice for the commencement of disciplinary proceedings. N.J.A.C. 13:30-8.12(b). On April 2, 2008, the Board considered the matter. In the absence of a

response and given that respondent has not held a license in this State for nearly 15 years, the Board has determined to finalize the order as provisionally entered.

#### FINDINGS OF FACT

1. Chiu Lun Lui, D.D.S. ("respondent") was originally licensed to practice dentistry in the State of New Jersey on February 1, 1981. Respondent failed to renew his license prior to its expiration on October 31, 1993 and he has failed to renew his license since that date. As a result, respondent's license has been and is currently suspended by application of N.J.S.A. 45:1-7.1(b).

2. On or about March 21, 2003, respondent entered a guilty plea for knowingly and willingly making a materially false, fictitious and fraudulent statement and representation, and knowingly and willfully making and using a false writing and document knowing the same to contain a materially false, fictitious and fraudulent entry and submitting it for reimbursement in violation of 18 U.S.C.A. §1001 and 18 U.S.C.A. §2.

3. On or about May 9, 2003, respondent was sentenced by the United States District Court for the District of Maryland to two years probation. Respondent was also ordered to pay restitution in the amount of eighteen thousand, five hundred fifty-two dollars and sixty cents (\$18,552.60), and pay an assessment in the amount of one hundred dollars (\$100.00). Respondent was also ordered to perform 120 hours of community service.

4. On or about February 18, 2004, the Maryland Board of Dental Examiners entered into a consent order with respondent. The Maryland Order found that respondent violated H.O. §§ 4-315(a)(4) in that respondent plead guilty to a felony and to a crime

involving moral turpitude. Respondent's license to practice dentistry in the State of Maryland was suspended for a period of one (1) year with all but four (4) months stayed. Following the respondent's completion of the four month active suspension period, respondent was to be placed on probation for a period of two (2) years subject to certain conditions which included completion of a Board approved ethics course, performance of community service, and payment of a fine.

5. On or about May 28, 2004, the Virginia Board of Dentistry entered an order against respondent. The order found that respondent was convicted of a felony charge in the United States District Court, District of Maryland for one count of false statements; aiding and abetting. The order also found that respondent's license to practice dentistry in the State of Maryland was suspended by consent order entered February 18, 2004. Respondent's license to practice dentistry in the State of Virginia was suspended.

6. On or about January 10, 2006, the New York State Board for Dentistry entered into a consent order with respondent. The New York Order found that respondent was convicted of committing acts constituting crimes under Federal law, within the purview and meaning of New York Education Law section 6509 (5)(a)(ii). The order found that respondent pled guilty in the United District Court, District of Maryland, for making false statements relating to health matters in violation of 18 U.S.C.A. §1001 and 18 U.S.C.A. §2. Specifically, the order found that beginning in or about May 1997 until August 1999, respondent filed false or exaggerated claims for his dental services with United Concordia Companies, Inc., a dental health care insurance provider, in amounts in excess of eighteen thousand dollars (\$18,000). Respondent's license to practice dentistry in the State of New York was suspended for a period of three (3) years; followed by a two

(2) year probationary period and the payment of a fine of one thousand dollars (\$1,000.00)

### CONCLUSIONS OF LAW

1. The above findings of fact establish a basis for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(e), in that respondent's conduct for which he entered a guilty plea in the United States District Court for the District of Maryland, demonstrates that respondent engaged in conduct which constitutes professional misconduct.

2. The above findings of fact establish a basis for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(f), in that respondent's guilty plea in the United States District Court for the District of Maryland for making false statements relating to health matters in violation of 18 U.S.C.A. §1001 and 18 U.S.C.A. §2 are acts constituting a crime or offense involving moral turpitude and relate adversely to the activity regulated by the Board.

3. The above findings of fact establish a basis for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(g), in that respondent has had his authority to engage in the practice of dentistry suspended by the Maryland Board of Dental Examiners, the Virginia Board of Dentistry, and the New York State Board for Dentistry for reasons consistent with the provisions of N.J.S.A. 45:1-21.

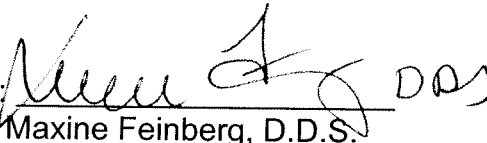
ACCORDINGLY, IT IS on this 7<sup>th</sup> day of May, 2008,

ORDERED that:

1. Respondent's license to practice dentistry in the State of New Jersey is hereby suspended and shall remain suspended until such time as respondent's license to practice dentistry in the State of Maryland, State of Virginia and State of New York is fully reinstated without any restrictions.

2. Prior to resuming active practice in New Jersey, respondent shall be required to appear before the Board or a committee thereof, to demonstrate fitness to resume practice and to show that he has satisfied all the requirements of his criminal sentencing and all requirements of the Maryland, Virginia and New York orders. Any practice in this State prior to that appearance shall constitute grounds for the charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF DENTISTRY

By:   
Maxine Feinberg, D.D.S.  
Board President